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IN THE UNITED STATES BANKRUPTCY COURT  
DISTRICT OF UTAH

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WORLD BOTANICAL GARDENS,  
INCORPORATED (WBGI),

Plaintiff

vs.

WALTER L. WAGNER,

Defendant

) A.P. No. 13-02099  
) (Bankruptcy No. 12-35494)  
)

) **ORDER GRANTING MOTION**  
) **FOR SUMMARY JUDGMENT**  
) **AS AGAINST WBGI**  
) **(proposed)**  
)  
)  
)

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DISTRICT OF UTAH  
BANKRUPTCY COURT  
Bx

ORDER GRANTING MOTION FOR SUMMARY  
JUDGMENT AS AGAINST WBGI

Defendant's motion for summary judgment came on regularly for hearing on October 23, 2013. It appears to the satisfaction of the Court that the defense to this action is meritorious and that the motion should be granted. This decision is based on the uncontested facts filed herein whereby it is shown that the judgments obtained by WBGI were obtained by fraud, and that there was no fraud on the part of defendant Walter L. Wagner that would warrant reinstatement of the judgments that were previously discharged.

Wherefore, it is hereby:

ORDERED that Summary Judgment as against WBGI is hereby entered, and that WBGI take nothing by its complaint.

It is further ORDERED that defendant Walter L. Wagner shall be awarded his costs of suit incurred herein, including attorney's fees.

DATED:           October 23, 2013

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Judge of the Bankruptcy Court